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6 Attorneys for Plaintiffs

7 **UNITED STATES DISTRICT COURT**
8 **EASTERN DISTRICT OF CALIFORNIA**

9 JOHN ADENA, Deceased, by and through his Co-)
10 Successors in Interest, CIRCE ADENA and)
11 RICHARD ADENA; CIRCE ADENA, Individually,)
and RICHARD ADENA, Individually,)
12 Plaintiffs,) Case No. 2:21-cv-00770-MCE-DMC
vs.)
13 SHASTA COUNTY, a public entity; SHASTA)
COUNTY JAIL DEPUTIES JOSEPH GRADY,)
NATHANIAL NEVES, HECTOR CORTEZ;)
CALIFORNIA FORENSIC MEDICAL GROUP,)
INC., a California Corporation; WELLPATH)
MANAGEMENT, INC., a Delaware Corporation;)
WELLPATH LLC, a Delaware Limited Liability)
Company; TRACY LEWIS, L.M.F.T.; PAM)
JOHANSEN, L.C.S.W.; DANIEL DELLWO, P.A.;)
AMANDA REAM, R.N. and DOES 1–20;)
individually, jointly and severally,)
21)
22)
23)
24)
25)
Defendants.)
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**STIPULATION AND ORDER TO
MODIFY PRETRIAL
SCHEDULING ORDER (ECF No.
78)**

1 All parties, by and through their counsel of record, stipulate and hereby move this Court to
2 modify the Scheduling Order (Doc. 78). Good cause exists to grant the requested extension:

3 1. This is a complicated wrongful death civil rights case involving Shasta County jail
4 deputies and Wellpath correctional health care personnel. The case now involves twelve named
5 Defendants represented by three separate law firms. The parties are represented by experienced
6 counsel, some of whom have worked together before on several cases, and counsel have worked
7 cooperatively throughout the litigation they have handled together.

8 2. On July 24, 2024, this Court granted the Wellpath Defendants' motion to dismiss the
9 First Amended Complaint, giving Plaintiffs twenty days in which to file an amended complaint.
10 (ECF No. 79). Plaintiffs filed their Second Amended Complaint on August 8, 2024. (ECF No. 81).
11 Plaintiffs added Amanda Ream, R.N., as a Defendant, and pursuant to stipulation, removed several
12 County employees from the Second Amended Complaint. (ECF Nos. 80, 81, 83).

13 3. Amanda Ream's deposition was scheduled for August 20, 2024. She was served
14 with a deposition subpoena on August 6, 2024.

15 4. Plaintiffs served Amanda Ream with the Summons and Second Amended Complaint
16 on August 13, 2024. (ECF No. 84). Ms. Ream's answer is due on September 3, 2024. (*Id.*)
17 Attorney Paul A. Cardinale contacted Plaintiffs' counsel on August 13, 2024, informing them that
18 he would be representing Ms. Ream for her deposition but was not available on the date of her
19 noticed deposition, and he requested a continuance of the deposition. Plaintiffs' counsel agreed to
20 continue the deposition and informed Mr. Cardinale that Ms. Ream was also served with the
21 Summons and Second Amended Complaint, that same day (August 13, 2024), and emailed a
22 courtesy copy of the Second Amended Complaint to Mr. Cardinale. Mr. Cardinale was
23 subsequently retained to represent Ms. Ream in this matter as her defense counsel, and has appeared
24 as Ms. Ream's defense counsel on August 19, 2024. (ECF No. 85).

1 5. Mr. Cardinale requests an extension of the dates in this matter, to give him time to
 2 review the file and familiarize himself with the case. The parties have also agreed to postpone the
 3 deposition of Deirdre Amaro, M.D., the forensic pathologist who did Shasta County's autopsy on
 4 John Adena, which was scheduled for August 21, 2024, as Mr. Cardinale is not available that day.

5 6. The Wellpath Defendants and Ms. Ream anticipate filing a motion to dismiss the
 6 Second Amended Complaint. Due to calendar conflicts and prescheduled travel for Plaintiffs'
 7 counsel, the parties agree to a modified briefing schedule, with motions to dismiss being filed
 8 October 15, 2024, oppositions being filed November 15, 2024, and replies being filed December 2,
 9 2024. The parties are cognizant of the Court's Standing Order, which provides that motions are
 10 submitted on the papers and the Court will inform the parties if it requires a hearing.

12 7. To allow Mr. Cardinale time to review the file and prepare his defense of Ms. Ream,
 13 the parties also stipulate to an approximately five-month continuance of the dates unrelated to the
 14 motions to dismiss in this matter, as follows:

<u>Event</u>	<u>Current Date</u>	<u>New Date</u>
Filing of Motions to Dismiss	September 3, 2024 for Ms. Ream and October 15, 2024, for the Wellpath Defendants	October 15, 2024
Filing of Oppositions to Motions to Dismiss	N/A (not yet filed)	November 15, 2024
Filing of Replies re: Motions to Dismiss	N/A (not yet filed)	December 2, 2024
Close of Fact Discovery (not including concerning Wellpath corporate Defendants' financial position)	August 23, 2024	January 17, 2025
Close of Fact Discovery concerning Wellpath corporate Defendants' financial position	November 29, 2024	April 25, 2025
Expert Disclosures (not including concerning Wellpath	October 11, 2024	March 14, 2025

1 2 3 4 5 6 7 8 9 10 11 12 13	corporate Defendants' financial position)		
	Expert Disclosures concerning Wellpath corporate Defendants' financial position	January 10, 2025	June 13, 2025
	Rebuttal Expert Disclosures (not including concerning Wellpath corporate Defendants' financial position)	November 6, 2024	April 4, 2025
	Rebuttal Expert Disclosures concerning Wellpath corporate Defendants' financial position	February 7, 2025	July 11, 2025
	Joint Notice of Trial Readiness (if no dispositive motions)	March 21, 2025	August 15, 2025
	Dispositive Motion filing deadline	January 24, 2025	June 20, 2025

14 For the foregoing reasons, the parties respectfully request that this Court enter an Order
 15 modifying the schedule in this case as set forth above.

16
 17 IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.

18
 19 Dated: August 20, 2024

HADDAD & SHERWIN LLP

20 */s/ Julia Sherwin*

21 JULIA SHERWIN
 22 Attorneys for Plaintiffs

23 Dated: August 20, 2024

MANNING & KASS
 ELLROD, RAMIREZ, TRESTER LLP

24 */s/ Lynn Carpenter*

25 LYNN CARPENTER
 MILDRED K. O'LINN
 26 KAYLEIGH A. ANDERSEN

1 Attorneys for Defendants
2 SHASTA COUNTY; DEPUTIES JOSEPH GRADY,
3 NATHANIAL NEVES, and HECTOR CORTEZ

4 Dated: August 20, 2024

5 GORDON REES SCULLY MANSUKHANI, LLP
6
/s/ Allison Becker
7 LINDSEY M. ROMANO
8 ALLISON BECKER
9 Attorneys for Defendants
10 CALIFORNIA FORENSIC MEDICAL GROUP,
11 INC., WELLPATH MANAGEMENT, INC.,
12 WELLPATH LLC; TRACI LEWIS, L.M.F.T; PAM
13 JOHANSEN, L.C.S.W.; DANIEL DELLWO, P.A.
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Dated: August 20, 2024

MEDICAL DEFENSE LAW GROUP

/s/ Paul A. Cardinale
PAUL A. CARDINALE
Attorneys for Defendant AMANDA REAM

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ORDER

2 Based on the parties' stipulation, and with good cause appearing,

3 IT IS HEREBY ORDERED that the Pretrial Scheduling Order (Doc. 78) is modified as
4 follows:

<u>Event</u>	<u>Current Date</u>	<u>New Date</u>
Filing of Motions to Dismiss	September 3, 2024 for Ms. Ream and October 15, 2024, for the Wellpath Defendants	October 15, 2024
Filing of Oppositions to Motions to Dismiss	N/A (not yet filed)	November 15, 2024
Filing of Replies re: Motions to Dismiss	N/A (not yet filed)	December 2, 2024
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Rebuttal Expert Disclosures concerning Wellpath corporate Defendants' financial position	February 7, 2025	July 11, 2025

1	Joint Notice of Trial Readiness (if no dispositive motions)	March 21, 2025	August 15, 2025
2	3 Dispositive Motion filing deadline	January 24, 2025	June 20, 2025

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5 IT IS SO ORDERED.

6 Dated: August 26, 2024

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8 
MORRISON C. ENGLAND, JR.
SENIOR UNITED STATES DISTRICT JUDGE

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